

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1237	Press Mis.
<u>62-63</u>	
Dated 5th May 1867	

Not to be folded or roughly handled

Post Audit
DEPARTMENT.

No 254

Fort Saint George,
Accountant General's Office,
23 March 1869

FROM *The* ACCOUNTANT GENERAL,
TO THE GOVERNMENT OF MADRAS.

Revenue Department

SIR,

In submitting for the orders of Government the enclosed Proceedings of the Board of Revenue, No. 1743, dated 15th Instant, I have the honor to state that Mr. Plunkett was refused travelling allowance to join his appointment as Deputy Collector Nellore, on the ground that as the last permanent appointment of which he had actually assumed charge was that of Head Clerk at Nellore, he did really travel to join an appointment upon higher salary, and was therefore not entitled under the rules to travelling allowance.

His claim which was thus barred by the rules could not, it was considered, be made good by the Certificate upon which he seems to rely, for it was doubtless issued under the idea that Mr. Plunkett was transferred from one appointment (that of Deputy Collector Vizagapatam which he never joined) to another of equal value, which as is shown in the correspondence, was not the case. I have the honor to be

Your most obed^t servant

F. Lushington
Accountant General.

Proceedings of the Madras Government, Revenue Department,
5th May 1869.

No. 102. Read the following letter from F. LUSHINGTON, Esq., Accountant-General, Madras, to the Acting Secretary to Government, Revenue Department, dated Fort Saint George, 23rd March 1869, No. 254:—

In submitting, for the orders of Government, the enclosed Proceedings of the Board of Revenue, No. 1,743, dated 15th instant, I have the honor to state that Mr. Plunkett was refused Travelling Allowance to join his appointment as Deputy Collector, Nellore, on the ground that, as the last permanent appointment, of which he had actually assumed charge, was that of Head Clerk at Nellore, he did really travel to join an appointment upon higher salary, and was, therefore, not entitled under the rules to Travelling Allowance.

2. His claim, which was thus barred by the rules, could not, it was considered, be made good by the Certificate upon which he seems to rely; for it was doubtless issued under the idea that Mr. Plunkett was transferred from one appointment (that of Deputy Collector, Vizagapatam, which he never joined) to another of equal value, which, as is shown in the correspondence, was not the case.

Proceedings of the Board of Revenue, dated 15th March 1869, No. 1,743.

Read the following letter from the Collector of Nellore, to the Acting Secretary to the Board of Revenue, dated Camp at Iskapalli, 27th January 1869, No. 204.

In submitting the accompanying copy of letter, No. 398, of 17th December 1868, from Mr. C. E. Plunkett, Deputy Collector in charge of the Salt Department, Nellore, appealing against the decision of the Deputy Accountant-General, Madras, negating his (Mr. Plunkett's) claim to Travelling Allowance from Kistna to Nellore,

Communicated in Board's Proceedings, dated 4th December, No. 8,543.

I have the honor to observe, for the favorable consideration of the Board, that Mr. Plunkett was appointed first to act as Salt Deputy Collector of Vizagapatam in January 1867, and thence transferred to act on general duties in the Kistna District. While acting in the latter appointment, he was confirmed as Salt Deputy Collector of Vizagapatam on the 17th December 1867, but directed "to continue to act on general duties in the Kistna District during the absence of V. Vencatachellum on other duty, or until further orders". While thus officiating at Masulipatam, and holding a confirmed appointment at Vizagapatam, he was transferred to Nellore, and travelled from Masulipatam to the former station in order to join his last gazetted appointment. Hence the present claim to Travelling Allowance.

2. The Deputy Accountant-General objects to the allowance on the grounds that Mr. Plunkett had not assumed the duties of his permanent appointment at Vizagapatam; but this he did not do under the express orders of Government quoted above.

ENCLOSURE No. 1.

From C. E. PLUNKETT, Esq., Deputy Collector in charge of Salt Department, Nellore, to the Collector of Nellore, dated Iskapalli, 17th December 1868, No. 398.

I HAVE the honor to acknowledge the receipt of your Endorsement, No. 4,365, dated 12th instant, appended to copy of the Proceedings of the Board of Revenue, Madras, dated 4th idem, No. 8,543, communicating the decision of the Deputy Accountant-General that I am not entitled to Travelling Allowance for my journey from Kistna to Nellore on the occasion of my transfer to my present charge in May last.

2. In his memorandum, recorded in the Board's Proceedings under reference, the Deputy Accountant-General writes: "When Mr. Plunkett was transferred to Nellore as Deputy Collector, his permanent appointment was that of Head Clerk in that district, and Acting Deputy

*Proceedings of the Madras Government, Revenue Department,
5th May 1869.*

"Collector, Kistna". In this belief the Deputy Accountant-General is mistaken; for, at the time mentioned, Mr. John D'Silva was permanent Head Clerk in Nellore, and my permanent appointment was Salt Deputy Collector of Vizagapatam and Acting Deputy Collector, Kistna. The Pay Abstracts of your Office will verify my assertion as regards Mr. D'Silva, and the Government Order* for my transfer, the statement as regards myself; I vacated the Office of Head Clerk in your Office permanently in December 1867, and not, as the Deputy Accountant-General seems to think, in May 1868.

3. I moreover beg to say that my claim to the allowance, the Deputy Accountant-General now says I am not entitled to, is based on the sanction of Government, accorded in their Order of the 5th June last, Revenue Department, No. 1,560. In my application for the allowance, as stated in paragraph 3 of the letter from myself, recorded in Board's Proceedings, dated 16th November ultimo, No. 8,192, I specified the orders under which I submitted my request; the Government recognised my claim, and granted me a Certificate in support of it. And, as it does not appear from the correspondence that the decision of the Deputy Accountant-General, and the retrenchment made by him has been laid before Government, I beg you will kindly write to the Board, and in my behalf ask them to be so good as to lay the whole matter before Government for their final orders.

4. I must beg the indulgence of the Board and of yourself for the trouble I am giving in this matter, but after having been transferred from one place to another, admittedly on public grounds, I cannot but deem it a hardship to be deprived, by the Deputy Accountant-General, of an allowance which the authorities who transferred me have themselves been pleased to recognise my claim to, and must respectfully plead this as my apology for writing this letter.

SUBMITTED for the favorable consideration of Government through the Accountant-General.

No. 103. ORDER THEREON, 5th May 1869, No. 1,237.

Miscellaneous.

THE Accountant-General submits an appeal from Mr. Plunkett, Deputy Collector of Nellore, against the decision

of his Office, depriving him of his Travelling Allowance for joining his appointment at Nellore. Mr. Lushington states that the allowance was refused on the ground that, as the last permanent appointment of which Mr. Plunkett had actually assumed charge was that of Head Clerk at Nellore, *he did really travel to join an appointment upon higher salary.*

2. The retrenchment, however, appears to Government to have been made under some misconception of the rule. The rule is that "Travelling Allowance is not granted to Uncovenanted Officers on first appointment to the public service, nor is it allowed on occasions of transfer from one office to another *on promotion*, or at their own request".

3. The point for consideration is, whether Mr. Plunkett received any promotion when he was transferred to Nellore. This Officer was permanently appointed Deputy Collector, 4th Class, on the 17th December 1867, and from that date he commenced to receive the full pay of his appointment, and ceased to have any claim on his previous permanent appointment of Head Clerk in the Nellore Collector's Office. He was posted to the Vizagapatam District, but, for the convenience of the public service, was ordered to continue to act in the Kistna District. Subsequently,

*Proceedings of the Madras Government, Revenue Department,
5th May 1869.*

on the 28th April 1868 he was transferred permanently to Nellore, irrespective of his own wishes and without any promotion, as he still continued in the 4th Class. Thus it is clear that he did not "really travel to join an appointment upon higher salary".

4. Moreover, the Government do not see anything in the rules which requires that an Officer should have actually assumed charge of his last permanent appointment to entitle himself to travelling charges, if subsequently transferred without any increase of pay. The Order of the Government of India, which requires a Certificate to show that the transfer was made for the benefit of the public service preparatory to the payment of Travelling Allowance, clearly prescribes that the transfer should have been made "*permanently from one appointment to another, without increase of salary, and has no reference whatever to the place where the Officer may be doing duty at the time*".

5. Under these circumstances, the Right Honorable the Governor in Council authorises the Accountant-General to withdraw the retrenchment above alluded to.

6. The Government must, however, remark that they concur with the Accountant-General in his opinion that the Certificate granted by the Government to show that the transfer of an Officer was made for the benefit of the public service irrespective of his wishes does not *ipso facto* give him a claim to Travelling Allowance.

(True Extract.)

(Signed) R. A. DALYELL,

Acting Secretary to Government.

To the Accountant-General.
,, the Board of Revenue.

Exd. F. R. Bantleman.

4. I must beg the indulgence of the Board and of yourself for the trouble I am giving in this matter, but after having been transferred from one place to another, admittedly on public grounds, I cannot but deem it a hardship to be deprived by the Deputy Accountant General of an allowance which the Authorities who transferred me have themselves been pleased to recognise my claim to, and must respectfully plead this as my apology for writing this letter.

(True Copy.)

(Signed) J. W. B. DYKES,
Collector.

Submitted for the favorable consideration of Government, through the Accountant General.
(True Copies and Extract.)

To the Acting Secretary to Government, Rev. Dept.,
through the Accountant General.

Copy to the Collector of Nellore.

DA & AG. Office
Recd 22 8 1869
Ans'd 23 8 1869

Exd. T. Cartledge.

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1869.
Board of Revenue,
MADRAS.

PROCEEDINGS, 15TH MARCH 1869, No. 1,743.

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MARCEL
No. 1,743.

Travelling allowance.—Letter from Collector of Nellore forwarding Deputy Collector, Mr. Plunkett's appeal against decision of Accountant General negating his claim to, on occasion of his transfer from Kistna to his present charge, submitted to Government.

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*From the Accountant General
Dated 15th March 1869.*

Copy to the Collector of Nellore.

Revenue de par the

N^o 1237

Proceedings of the Madras Court
under date the 5 May 1869

Read the fol-
lowing letter from the

Comptroller of the Revenue

Pro: regarding the travel-
ling allowance claimed by
Mr. Clunkett.

(Dated: 23rd March 1869,
No 257)

W. M. N.

The Account-
ant General submits
an appeal from Mr. Clunkett, Dy. Collector of Mel-
lore, against the de-
cision of his office de-
priving him of his tra-
velling allowance for
joining his appointment
at Mellore. Mr. Lushington states that the al-
lowance was refused
on the ground that as
the last permanent ap-
pointment of which Mr.
Clunkett had actually
assumed charge was
that of Head Clerk at
Mellore

Nellore, he did really
travel to join an appoint-
ment upon higher sa-
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2. The retrenchment however
appears ^{to have} been made
under some mis-
conception of the rule.
The rule is that "travel-
ling allowance is not
granted to Government
officers on first ap-
pointment to the Public
Service, nor is it allow-
ed on occasions of
transfer from one office
to another on promo-
tion or, at their own
request."

3. The point for
consideration is whether
Mr. Blunkett received
any promotion when
he was transferred to
Nellore. This officer was
permanently

permanently appointed
by Collector, 4th class
on the 17th December
1867 and from that date
he commenced to receive
the full pay of his
appointment and ceased
to have any claim on
his ^{previous} permanent appoint-
ment of Head Clerk
in the Nellore Collector's
office. He was ~~ordered~~
posted to the Vizag-
apatnam District ~~and~~
but, for the contin-
uance of the Public
Service, was ordered
to continue to act in
the Krishna District.
Subsequently on the

28th April 1868 he
was transferred
permanently to Melrose
in respect of his own
wishes and without
any promotion
as he still
continued in the 4th
class - Thus it is
clear that he did
not really travel
to join an appoint-
ment upon higher
salary.

4. Moreover the

Government do not see any⁶²
thing in the rules which re-
quires that an Officer should
have actually assumed charge
of his last permanent appoint-
ment to entitle himself to
travelling charges if subsequent-
ly transferred without any
increase of pay. The order
of the Government of India
which requires a certificate
to show that the transfer
was made for the benefit
of the public service prepa-
ratory to the payment
of travelling allowance
clearly prescribes that
the transfer should
have been made "permanent-
ly from one appointment
to

to another, without in-
crease of salary
and has no reference
whatever to the place
where the officer may
be doing duty at the
time.

5 Under these cir-
cumstances, the Right
Honorable the Governor
in Council authorize
the Accountant General
to withdraw the retrench-
ment above alluded to.

6 The Government
must, however, remark
that they concur with
the Accountant General
in his opinion that

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The certificate granted
by the Government to show
that the transfer of an officer
was made for the benefit
of the public service irres-
pective of his wishes does
not ipso facto give him a
claim to travelling allowance.

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16- Board of Revenue. ✓

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Ad. Lina

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